



#7 SDAC  
CMS

Docket No. END0517

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Fred H. Burbank et. a.  
Serial No. : 09/004,737 Art Unit: 3736  
Filed : January 9, 1998 Examiner: Manx F. Hindenburg  
For : APPARATUS FOR AUTOMATED BIOPSY AND COLLECTION OF SOFT  
TISSUE

I hereby certify that this correspondence is being deposited with the  
United States Postal Service as first class mail in an envelope addressed  
to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

September 23, 2003

(Date)

Gerry S. Gressel

Name of applicant, assignee, or Registered Representative

Linda F. Hansen  
Linda F. Hansen

RECEIVED  
SEP 29 2003  
OFFICE OF PETITIONS

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Fax: (703) 308-6916

**PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF  
MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(c))**

Dear Sir:

1. **SMALL ENTITY**

☐ Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27.

2. **LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS**

☐ Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g).

10/14/2003 AKELLEY 00000002 100750 09004737

01 FC:1551 890.00 DA  
02 FC:1551 1640.00 DA

3. **MAINTENANCE FEE (37 CFR 1.20(e)-(g))**

☒ The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

<b>NOT Small Entity</b> Amount Fee (Code)	<b>Small Entity</b> Amount Fee (Code)
<input checked="" type="checkbox"/> \$ 890.00 3 1/2 yr fee (1551)	<input type="checkbox"/> \$ 445.00 3 1/2 yr fee (2551)
<input type="checkbox"/> \$ 2,050.00 7 1/2 yr fee (1552)	<input type="checkbox"/> \$ 1,025.00 7 1/2 yr fee (2552)
<input type="checkbox"/> \$ 3,150.00 11 1/2 yr fee (1553)	<input type="checkbox"/> \$ 1,575.00 11 1/2 yr fee (2553)

**MAINTENANCE FEE BEING SUBMITTED \$890.00**

4. **SURCHARGE**

The surcharge required by 37 CFR 1.20(i)(2) of \$ 1,640.00 (Fee Code 1558) must be paid as a condition of accepting unintentionally delayed payment of the maintenance fee.

**SURCHARGE BEING SUBMITTED \$1,640.00**

5. **MANNER OF PAYMENT**

Please charge Deposit Account No. 10-0750 the sum of \$2530.00. A duplicate copy of this authorization is attached.

6. **AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY**

The Director is hereby authorized to charge any maintenance fee, surcharge or petition deficiency to Deposit Account No. 10-0750. A duplicate copy of this authorization is attached.

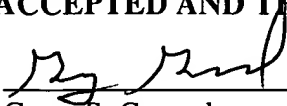
7. **OVERPAYMENT**

As to any overpayment made please Credit to Deposit Account No. 10-0750.

8. **STATEMENT**

The delay in payment of the maintenance fee to this patent was unintentional.

9. **PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED.**

  
Gerry S. Gressel  
Reg. No. 34,342

9/22/03  
Date

Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003  
(513) 337-3535

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

**ENCLOSURES:**

- ☒ Maintenance Fee payment  
☒ Surcharge under 37 CFR 1.20(i)(2) (fee for filing the maintenance fee petition)  
☐